

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 LEO DURDEN,

9 Plaintiff,

10 v.

11 GEICO ADVANTAGE INSURANCE  
12 COMPANY,

Defendant.

C17-651 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable  
14 Thomas S. Zilly, United States District Judge:

15 (1) Plaintiff's motion to continue the trial date and related deadlines, docket  
16 no. 56, is GRANTED in part and DENIED in part as follows.

17 (a) The trial date is not stricken as plaintiff suggests, but is instead  
18 CONTINUED to February 11, 2019. The pretrial conference is RESCHEDULED  
19 to February 1, 2019, at 1:30 p.m. All motions in limine shall be filed by  
20 January 10, 2019. The agreed pretrial order, trial briefs, proposed voir dire  
21 questions, and proposed jury instructions shall be filed by January 25, 2019.

22 (b) Plaintiff's request to reset the deadlines for joining additional parties  
23 and amending pleadings is DENIED.

(c) Plaintiff's request to reopen discovery is GRANTED as follows.  
Any additional fact discovery relating solely to defendant's new affirmative  
defense, which is based on the "racing" exclusion in the insurance policy at issue,  
see Amended Answer (docket no. 53 at 8), shall be completed by September 21,  
2018. Any additional expert testimony relating to defendant's new affirmative

1 defense must be disclosed by October 10, 2018. Any depositions of experts  
2 concerning opinions disclosed pursuant to this Minute Order shall be conducted  
on or before October 31, 2018.

3 (2) Defendant's motion for summary judgment, docket no. 54, is RENOTED to  
November 23, 2018. Any supplemental response by plaintiff shall not exceed twelve  
4 (12) pages in length and shall be filed by Wednesday, November 14, 2018. Any  
supplemental reply by defendant shall not exceed six (6) pages in length and shall be  
5 filed by Wednesday, November 21, 2018.

6 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of  
record.

7 Dated this 3rd day of August, 2018.

8  
9 William M. McCool  
Clerk

10 s/Karen Dews  
11 Deputy Clerk  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23